

**DEPARTMENT OF FOOD AND AGRICULTURE**

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August 17, 2004

STZ-04-010

TO: WHOM IT MAY CONCERN

The following regulations were filed with the Secretary of State on August 10, 2004, and will become effective on September 9, 2004.

**DEPARTMENT OF FOOD AND AGRICULTURE  
PROPOSED CHANGES IN THE REGULATIONS**

**Title 3. California Code of Regulations  
Article 43. Tomatoes**

**Section 1472.5. Tomatoes, Vine Ripened Defined.**

Tomatoes labeled with the term "vine ripened" shall be considered mislabeled unless the skin surface or the flesh of each tomato has attained some discernible degree of pink or red color at the time of harvest.

Note: Authority cited: Sections 407, 42681 and 42682, Food and Agricultural Code.  
Reference: Sections 42941 and 42943, Food and Agricultural Code.

**Section 1472.8. Tomatoes, Greenhouse Grown Defined.**

Tomatoes labeled with the term "greenhouse grown" shall be considered mislabeled unless tomatoes are grown in a fixed steel structure using irrigation and climate control, in an artificial medium that substitutes for soil.

Note: Authority cited: Sections 407, 42681 and 42682, Food and Agricultural Code.  
Reference: Sections 42941 and 42943, Food and Agricultural Code.

Sincerely,

Rick S. Jensen, Chief  
Inspection and Compliance Branch  
Inspection Services

RJ/sd

cc: S. Mauch  
E. Williams  
G. Manning